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June 30, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: MB Docket No. 03-15
WLEX-DT, Lexington, Kentucky (Facility ID No. 73203)
FCC File No. BPCDT-20000501AJY
Request for Waiver of July 1, 2005 Replication/Maximization Deadline

Dear Ms. Dortch:

As a precautionary measure, WLEX Communications, L.L.C. ("WLEX"), permittee of television station WLEX-DT (Lexington, Kentucky) (the "Station"), by its attorneys, hereby requests waiver of the Commission's July 1, 2005 replication/maximization interference protection deadline. WLEX's current construction permit for WLEX-DT does not expire until September 2, 2005 (FCC File No. BPCDT-20000501AJY).

In its *Second DTV Periodic Review Report and Order*,¹ the Commission adopted replication/maximization interference protection deadline for DTV licensees. Stations affiliated with the top-four networks in the top 100-ranked designated market areas that held construction permits with deadlines extending beyond July 1, 2005 were required to implement replication or maximization facilities by the expiration date specified in their construction permit.² On September 2, 2004, the Commission granted WLEX a construction permit for WLEX-DT with an expiration date of September 2, 2005. On June 15, 2005, the Commission released a Public Notice explaining, among other things, that any station with a construction permit expiring after July 1 automatically would have its replication maximization deadline extended to the expiration date of its construction permit.³ In an abundance of caution, however, and to the extent

¹ Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Report and Order*, 19 FCC Rcd 18279 (rel. Sept. 7, 2004).

² *Id.*, ¶¶ 78, 84.

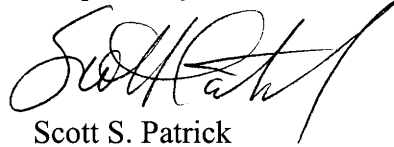
³ *Public Notice*, DTV Channel Election Issues – Compliance with the July 1, 2005 Replication Maximization Interference Protection deadline; Stations Seeking Extension of the Deadline, DA 05-1636 (rel. June 15, 2005).

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necessary, WLEX respectfully requests that the Commission waive the July 1, 2005 interference protection deadline for WLEX-DT until and through the expiration of the Station's construction permit.

Please contact me if you have any questions about this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott S. Patrick", with a stylized flourish extending from the end.

Scott S. Patrick

cc: Shaun Maher (FCC)